

Notice of Allowability

Application No.

09/866,865

Examiner

Benjamin C. Lee

Applicant(s)

DOYLE, THOMAS F.

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed 11/7/05 & 11/14/05 and Examiner's Amendment.
2. ☒ The allowed claim(s) is/are 1-2, 6-9 and 11-37; renumbered 1-33 by Examiner.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>1/10/06</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>11/14/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thibodeau, Jr. on 1/10/06.

The application has been amended as follows:

1. (Currently amended) A system for determining the availability of a plurality of mobile assets comprising:

a plurality of mobile asset sources for providing the mobile assets that may be made available , the mobile assets being classifiable into two or more asset types, and each mobile asset comprising a location detector for providing position data, at least one mobile asset sensor for detecting a parameter relating to the availability of the mobile asset, and a wireless communication interface for transmitting data that includes at least the parameter relating to the availability of the mobile asset; and

a data center comprising a receiver for receiving the mobile asset availability parameter data from the mobile assets and a processor programmed for determining the type of each mobile asset, processing the availability parameter data, and using the availability parameter data to determine the availability of each mobile asset,

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wherein the parameter relating to availability of an asset is taken from a sensor that is of a different type for at least two different types of assets, and wherein at least one type of asset uses a sensor that determines asset availability from a cargo loaded/unloaded status sensor;

wherein the parameter relating to the availability of at least one other type of asset further includes at least one of mobile asset motion, mobile asset door activity, mobile asset security data, mobile asset location, mobile asset mileage, mobile asset fuel level and tire status.

Claims 3-5 (canceled).

Claim 10 (canceled).

14. (Currently amended) A system for exchanging data relating to the availability of mobile assets comprising:

a plurality of mobile asset sources for providing the mobile assets that may be made available, wherein the mobile assets are of two or more types, and wherein mobile asset availability data for each type of mobile asset is derived from a sensor that is different for at least two of the asset types;

a processor programmed for determining the availability of each mobile asset from the corresponding mobile asset availability data, and receiving and processing requests for available mobile assets; and

a plurality of user computers for providing user access to information relating to the availability of the mobile assets and user interface to request one or more mobile assets that are determined to be available,

wherein, for at least one type of mobile asset, the mobile asset availability data includes at least cargo loaded/unloaded status;

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wherein the mobile asset availability data of at least one other type of asset further includes at least one of mobile asset motion, mobile asset door activity, mobile asset security data, mobile asset location, mobile asset mileage, mobile asset fuel level and tire status.

24. (Currently amended) A system for exchanging data relating to the availability of mobile assets comprising:

a plurality of mobile asset sources for providing the mobile assets that may be made available, wherein the mobile assets are of two or more types and wherein each mobile asset provides mobile asset availability data that, for at least two types of mobile assets, is derived from sensor data that differs depending on the mobile asset type, with at least one type of asset using cargo loaded/unloaded status as mobile asset availability data;

a data center for providing the availability of the mobile assets;

an intermediary business entity having a communication link to the data center for providing a network of users and the plurality of mobile asset sources to efficiently manage the mobile assets that are made available by using the availability information from the data center; and

a plurality of user computers having a communication link to the intermediary business entity for providing user interface to request one or more mobile assets that are determined to be available;

wherein the mobile asset availability data of at least one other type of asset further includes at least one of mobile asset motion, mobile asset door activity, mobile asset security data, mobile asset location, mobile asset mileage, mobile asset fuel level and tire status.

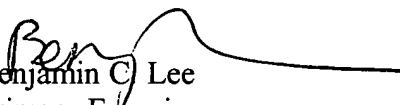
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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin C. Lee whose telephone number is (571) 272-2963.

The examiner can normally be reached on Mon -Fri 11:00Am-7:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Benjamin C Lee
Primary Examiner
Art Unit 2632

B.L.